

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Linda Szykowicz, et al, Middletown  
In the Matter of a Complaint by Linda Szykowicz, et al, Middletown

File No. 2021-047  
File No. 2021-050

**FINDINGS AND CONCLUSIONS**

The Complainants submitted what they asserted was data showing 210 voter records showing that 105 individuals had registered twice and voted twice in the November 3, 2020 General Election. The following are the Commission's findings and conclusions in these allegations.<sup>1</sup>

**Allegation**

1. The allegations here concern the November 3, 2020 General Election.
2. The Complainants here are Linda Szykowicz, Dominic Rapini, and a Connecticut corporation by the name of "Fight Voter Fraud, Inc."
3. In File No. 2021-047, the Complainants asserted as follows:

According to Fight Voter Fraud Inc.'s analysis of the Secretary of the State's Voter Database from January 2021, there were 103 voters that voted twice using two different voter ID numbers. They have the same or similar name, same addresses, same town/city and same Date of Birth.

4. Shortly after File No. 2021-047 was docketed, the Complainants submitted a supplemental complaint making the same claim concerning 4 additional records, in addition to the 206 records submitted in 2021-047, which complaint was separately docketed as File No. 2021-050.

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<sup>1</sup> The following are the Commission's findings and conclusions based on those portions of the allegations which the Commission could reasonably construe as alleging facts amounting to a specific violation of those laws within the Commission's jurisdiction. Any statements not addressed herein either did not specifically allege a violation or alleged facts which if proven true would not have amounted to a violation within the Commission's jurisdiction.

## Law

5. General Statutes § 9-7b reads, in pertinent part:

(a) The State Elections Enforcement Commission shall have the following duties and powers:

...

(2) To levy a civil penalty not to exceed . . . (C) two thousand dollars per offense against any person the commission finds to have (i) improperly voted in any election, primary or referendum, and (ii) not been legally qualified to vote in such election, primary or referendum,

6. General Statutes § 9-360 provides, in pertinent part:

Any person not legally qualified who fraudulently votes in any town meeting, primary, election or referendum in which the person is not qualified to vote, and **any legally qualified person who, at such meeting, primary, election or referendum, fraudulently votes more than once at the same meeting, primary, election or referendum**, shall be fined not less than three hundred dollars or more than five hundred dollars and shall be imprisoned not less than one year or more than two years and shall be disfranchised. Any person who votes or attempts to vote at any election, primary, referendum or town meeting by assuming the name of another legally qualified person shall be guilty of a class D felony and shall be disfranchised. (Emphasis added.)

Voting more than once in the same election is also a federal offense. 52 USC § 10307 reads, in pertinent part: (e) Voting more than once (1) Whoever votes more than once in an election referred to in paragraph (2) shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

(2) The prohibition of this subsection applies with respect to any general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, Delegate from the District of Columbia, Guam, or the Virgin Islands, or Resident Commissioner of the Commonwealth of Puerto Rico.

(3) As used in this subsection, the term "votes more than once" does not include the casting of an additional ballot if all prior ballots of that voter were invalidated, nor does it include the voting in two jurisdictions under section 10502 of this title, to the extent two ballots are not cast for an election to the same candidacy or office.

## **Background**

7. The events of these matters concern the November 3, 2020 General Election, which occurred during a state of emergency declared by the General Assembly due to the Covid-19 pandemic. The General Assembly voted to extend extraordinary authority to Governor Lamont to issue executive orders to protect the health and safety of the people of Connecticut. One such executive order, EO 7QQ, extended the reasons for which an individual could cast a ballot in the August 11, 2020 as follows:

a person shall be permitted to lawfully state he or she is unable to appear at a polling place because of COVID-19 if, at the time he or she applies for or casts an absentee ballot for the August 11, 2020 primary election, there is no federally approved and widely available vaccine for prevention of COVID-19

8. The General Assembly adopted a sunset provision in General Statutes § 9-135 that effectively codified the above for the November 3, 2020 General Election, as follows:

(a) Any elector eligible to vote at a primary or an election and any person eligible to vote at a referendum may vote by absentee ballot if such elector or person is unable to appear at such elector's or person's polling place during the hours of voting for any of the following reasons: (1) Such elector's or person's active service with the armed forces of the United States; (2) such elector's or person's

absence from the town of such elector's or person's voting residence during all of the hours of voting; (3) such elector's or person's illness; (4) such elector's or person's physical disability; (5) the tenets of such elector's or person's religion forbid secular activity on the day of the primary, election or referendum; (6) the required performance of such elector's or person's duties as a primary, election or referendum official, including as a town clerk or registrar of voters or as staff of the clerk or registrar, at a polling place other than such elector's or person's own during all of the hours of voting at such primary, election or referendum; or (7) **for the state election in 2020, the sickness of COVID-19. As used in this section, "COVID-19" means the respiratory disease designated by the World Health Organization on February 11, 2020, as coronavirus 2019, and any related mutation thereof recognized by said organization as a communicable respiratory disease.**

9. According to the Secretary of the State, 1,861,086 electors of the 2,334,979 eligible cast a ballot in the November 3, 2020 General Election, representing a turnout of approximately 80%. Of the 1,861,086 electors voting, the Secretary reported that 659,370, approximately 35%, voted successfully using an absentee ballot.
10. By comparison, the 2016 report from the Secretary of the State showed a turnout of 1,675,934 of the 2,178,169 eligible electors (77%), 126,948 of which (8%) were absentee ballots.

## **Investigation**

### *Complainants' Data*

11. The Complainants submitted a spreadsheet of what appeared to be elector data with the fields matching those found in the Connecticut Voter Registration System ("CVRS"). The data contained 206 separate records in File No. 2021-047 and 4 separate records in File No. 2021-050. These records contained data spanning 50 different Connecticut municipalities. The Complainants did not submit any other corroborating evidence of dual registrations and/or double votes other than this data.



*Phase One Investigation: SEEC Verification of the Complainant's Data*

12. The initial phase of the SEEC Investigation involved a data review of all 210 records submitted by the Complainants against the available records available at the time of the filing of the instant complainants.

*Unverified Records*

13. Of the 210 records submitted, 26 records were unverifiable against existing registration and voting records; accordingly, that data was excluded from any further investigation, along with the other 26 verifiable records alleged to be associated with them (for a total exclusion of 52 records).

*Phase Two Investigation: SEEC Records Review and Voter Contact*

*Verified Records*

14. The remaining 158 verified records concerned instances in which potential duplicate registrations existed for the same individual in which a vote in the November 3, 2020 General Election was recorded for both registrations.

Registration Review

15. Commission investigators conducted a review of each of these 158 records and found a pattern of what appeared to be duplicate registrations created as a result of minor differences in elector data (e.g., married vs. maiden names, birth dates off, apartment numbers represented slightly differently).
16. The bulk of the duplicates involved Department of Motor Vehicles registrations of existing electors in which the system created a new, duplicate registration instead of updating an existing registration due to the aforementioned differences between the two.
17. Importantly, no patterns emerged of intentional and/or fraudulent creation of duplicate registrations by these electors.

Voting Review

18. After an interlocutory review of the investigation, the Commission made the determination to narrow the "Phase 2" inquiry of the remaining 158 verified records in the interest of

Commission resources and of seeking the best evidence as to whether there were provable instances of voting twice by the same person.

19. Of the remaining 158 verified records, 38 records involved votes in the November 3, 2020 General Election in which at least one of the two allegedly associated records indicated that an absentee ballot was utilized.
20. 120 of the verified records involved votes in the November 3, 2020 General Election in which both of the two allegedly associated records indicated that only in-person votes occurred.
21. Past and recent Commission matters have shown that a verifiable attempt to vote twice in the same election is far less likely to occur when no absentee ballot is involved.
22. While absentee ballot voting is potentially less secure than in-person voting, it produces a more verifiable paper trail (including two instances in which the elector must write their signature under criminal penalties) as to whether the person cast the ballot, compared to in-person votes, which are more subject to recording errors by elections officials.
23. Past Commission matters have shown that the likelihood of an elector voting in-person twice in the same polling place is extremely low. The Commission's past matters are devoid of a single instance in which an elector was found to have voted twice in the same election at the same polling place under two different registrations.
24. One analogous matter involved an elector who was mistakenly handed two ballots in a referendum and voted them both.<sup>2</sup>
25. The sole instance of an elector voting in-person twice at the same election involved an elector who, due to an error by an election official and a misunderstanding of the rules concerning voting by non-elector property owners, voted twice in two different municipalities in which he owned homes.<sup>3</sup>

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<sup>2</sup> See *In the Matter of a Referral by the Colchester Registrars of Voters*, File No. 2014-070 (\$500 civil penalty to elector who voted two ballots that had been given to her in error due to being stuck together; commission found that elector knew that she had voted twice and knew or should have known that this was impermissible)

<sup>3</sup> See *In the Matter of a Referral by the Greenwich Registrars of Voters*, File No. 2013-007 (Elector voted twice in the municipal elections of two different towns in which he owned and occupied residential homes; election official error led to registrations in both towns and the elector's incorrect understanding of the breadth of the property owner provisions in General Statutes § 9-369d; agreement to henceforth comply and no civil penalty)

26. The above two matters aside, the lion's share of Commission matters in which an impermissible in-person vote was alleged have occurred have ended with findings that errors occurred by either the checker mistakenly checking off the wrong name or the registrars' office entering the wrong data in CVRS.<sup>4</sup>
27. In at least one matter, the Commission found that the allegation of a double vote by the same individual using two registrations was in fact two entirely separate individuals with similar names.<sup>5</sup>
28. Additionally, the Commission notes that it has in the past limited investigations of this type where broad-spectrum impermissible voting has been alleged through a review of CVRS data.
29. *In the Matter of a Referral by the Secretary of the State*, File No. 2008-049 concerned the results of a review by the University of Connecticut (hereinafter the "UConn study") regarding the accuracy of voter lists and possible election law violations by local officials. The article alleged that individuals who were UConn's research reported as deceased had also been listed as having voted after their apparent date of death. The UConn Study found 8,558 electors on the voting rolls who were allegedly deceased. 329 of these electors were reported to have cast a ballot after death at least once between November 1994 and August 2007 for a total of 533 votes cast during that time period. The Secretary conducted her own review of the UConn data and found it to be unreliable, but in an abundance of caution referred the matter for an investigation by the Commission of the 329 "dead" electors that the study asserted voted 555 times in 80 different municipalities.
30. Given the reliability of the data and out of a concern for a drain on investigatory resources, the Commission in File No. 2008-049 narrowed the investigation to a review of 10% of the municipalities. The Commission's review did not find a single instance of a verifiable fraudulent in-person vote in its review. Instead, the Commission found a pattern of either incorrect designation of electors as deceased, improper cross-offs by official checkers, and/or erroneous data entry into CVRS after the election.

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<sup>4</sup> See, e.g., *In the Matter of a Referral by the Colchester Registrar of Voters* File No. 2017-025 (Elector who transferred his registration and voted via EDR in a new town mistakenly crossed off as having voted in his prior town); *In the Matter of a Complaint by Peter J. Gostin, New Britain*, File No. 2016-100 (Elector erroneously checked off as voting in-person); *In re: Referral of the Naugatuck Registrars of Voters* File No. 2016-094 and *In re: Referral of the Bristol Registrars of Voters* File No. 2016-098 (Multiple erroneous cross-offs found at single polling place); *In the Matter of a Complaint by Eleanor Michaud, Preston*, File No. 2010-090 (name similar to the elector crossed off by poll worker).

<sup>5</sup> See *In the Matter of a Referral by East Hartford Registrar of Voters Stephen Watkins*, File No. 2017-035.



100% Investigation of Absentee-Involved Recorded Votes and 30%  
Investigation of Purely In-Person Recorded Votes

31. Turning to the cases here, in the interest of discovering the best evidence and also in the interest of the best use of the Commission resources, the Commission investigation was narrowed to a 100% investigation of each associated record pair that involved at least one absentee ballot and a 30% investigation of those records that involved only in-person votes.
32. In line with the above, the Commission narrowed its investigation to 74 of the remaining 158 records, which included 38 absentee-involved votes, and 36 in-person only votes.
33. The records were spread across 19 different municipalities<sup>6</sup>. The investigation involved data and records requests upon the election officials in each municipality. The investigation reviewed generally available data as well, such as town records and social media accounts. Additionally, where the records were inconclusive, Commission investigators attempted to contact each individual elector.
34. Of the 36 in-person only votes, the investigation found that the records broke down accordingly:

Number of Records	Reason
4	Sibling Electors with similar names
4	Dual registrations where checker improperly crossed off name on official checklist
10	Dual registrations where elector was not crossed off, but 11/3/20 voting data was wrongly entered into CVRS
18	EDR officials erroneously created two CVRS records for the same person and recorded a vote in each record when only one vote was actually cast

<sup>6</sup> Bridgeport, Broad Brook, Danbury, Danielson, East Haddam, East Hartford, East Windsor, Hartford, Hebron, Killingly, Manchester, New Milford, Norwalk, Southington, Stamford, Trumbull, Wethersfield, Windsor Locks, and Woodstock.



35. No evidence was found to substantiate that the same individual actually cast two votes in the same election by voting in person twice.
36. The lion's share of the apparent double in-person votes recorded in CVRS were errors by election officials during the process of entering data into CVRS or in how they crossed off names on the official checklist.
37. For example, in the City of Norwalk, 12 records were created for the same 6 electors who registered and voted via Election Day Registration. The practice of the Norwalk EDR officials was to create the CVRS record and immediately record that the elector had voted.
38. For each of these 6 electors, an error was found in the elector's registration details and instead of modifying the newly created record, the EDR officials created a new record with the correct information. In all instances, the EDR officials forgot to go back and delete the old records, which then made it appear that the elector had voted more than once.
39. By way of another example, in the City of East Hartford, the official checker appeared to have discovered that two registrations had been created for electors and attempted to fully cross out the erroneous name. The cross offs for the duplicate registrations were of a different character than the normal cross offs throughout the official checklist. However, during the process of reading the official checklist after the fact, the officials entering the data into CVRS did not discern the difference and recorded both registrations in CVRS as having voted.
40. Finally, four records were found that were not duplicates at all, but were rather twin siblings who lived at the same address and shared similar, but distinct names.<sup>7</sup>
41. Of the 38 records involving at least one recorded use of an absentee ballot per apparently matching pair, the investigation found similar issues as those found with in-person records.

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<sup>7</sup> Tahmida J. Ahmed & Fahmida J. Ahmed; Lakeisha Elliot & Lateisha Elliot

42. These records broke down accordingly:

Number of Records	Reason
2	Sibling Electors with similar names
10	Dual registrations where checker improperly crossed off name on official checklist
22	Dual registrations where elector was not crossed off, but 11/3/20 voting data was wrongly entered into CVRS
4	Dual registrations that resulted in two ballots cast by the same individual.

43. However, in 4 of the 38 records involving the use of at least on absentee ballot, the investigation did verify two instances in which the same elector had two active registrations and cast an absentee ballot and an in-person ballot in the November 3, 2020 General Election under these registrations. This was verified by both the available records and by the electors themselves.

Phase Three Investigation: Double Votes by Azzuddin Mokbil and Adelicia Mogollon-Lecca

*Azzuddin Mokbil*

Registration and Voting History Prior to November 3, 2020

44. CVRS and the records of the City of East Hartford show that Azzuddin Sharaf Mokbil is a bona fide resident on Bissell Street. Mr. Mokbil first registered to vote and enrolled in the Democratic Party from an address in Hartford and first voted in the November 4, 2014 General Election for state and federal offices. Mr. Mokbil moved his registration to East Hartford on or about November 6, 2018 by submission of a handwritten Voter Registration Application (“VRA”) which properly indicated his prior voting address in Hartford. Mr. Mokbil’s voter history included participation in 2 state elections (2014 and 2016) and 1 Presidential Preference Primary in 2016. Mr. Mokbil’s 3 prior votes were all in person.
45. On or about August 18, 2020 the East Hartford Registrars received a registration request through the Department of Motor Vehicles (“DMV”) connection with CVRS for a voter by the name of “Azzuddin Mokbel” (one letter off from “Mokbil”). The information in this request was nearly identical to the existing record, including but not limited to the address,

phone number, and driver's license number. The only differences were the vowel in the last name and the absence of a middle name. However, according to the East Hartford Registrars of Voters, this record was not flagged as a duplicate by CVRS and/or was not noticed by the East Hartford Registrars. Accordingly, instead of modifying Mr. Mokbil's existing CVRS record, they created a new record.

#### Voting History for the November 3, 2020 General Election

46. On or about September 23, 2020, the East Hartford Registrars of Voters received an application for an absentee ballot from "Azzuddin Sharaf Mokbil." On or about October 3, 2020 the East Hartford Registrars issued an absentee ballot set to Mr. Mokbil and Mr. Mokbil returned an executed set.
47. On the day of the General Election, November 3, 2020, the City of East Hartford records reflect that "Azzuddin Mokbel" voted in person at the Siliver Lane School polling place.

#### Respondent Mokbil's Reply

48. Mr. Mokbil was very prompt and thorough in his response to the instant investigation. Indeed, upon receiving his letter informing him that he was as respondent, he drove to the SEEC offices to explain why he was recorded as having voted twice.
49. In his written reply and other conversations with Commission investigators, Mr. Mokbil confirmed that he voted by absentee ballot. As this was his first experience with absentee balloting, he asserted that he was unsure of the mechanics. He expected that he would receive some type of notice from East Hartford that his absentee ballot set was received. However, the only notice from East Hartford that he received was a letter from the East Hartford Registrars informing him where his polling place was.
50. He asserted that this made him believe that due to publicized issues with election mail and the pandemic, his absentee ballot was not received and that he needed to cast his ballot in person on Election Day. When Mr. Mokbil went to the Silver Lane School polling place, his (incorrect) understanding was corroborated, as (one of the two registrations in) his name was not crossed off and he was permitted to enter and vote.
51. Mr. Mokbil asserted that he remembered telling the official checker at the time that the last name on his license was incorrect (he asserts that this was an error by the DMV), but that no issue was raised at the time of the two registrations (which appeared right next to each other on the checker's list, but was not noticed).



52. Mr. Mokbil asserted that at no time was he aware that he had cast two ballots until he received notice from the Commission of the allegations here.
53. From his responses, it did not appear to Commission investigators that Mr. Mokbil was aware that two registrations had been created or that more than one ballot had been counted.

East Hartford Registrars

54. Commission investigators spoke with East Hartford Registrar Stephen Watkins. He explained that when he receives DMV registrations, which come in electronically, CVRS does flag some as matching existing registrations.
55. However, he asserted that, in his experience, if the last name does not match, CVRS does not flag the record and instead a new record is created.
56. In response to this investigation, he asserted that he conducted an experiment by creating two nearly identical registrations with only one letter in the last name being different. He reported that CVRS did not flag the records as duplicates.
57. He asserted that his office is aware of this issue and has a process of reviewing the voter lists after each election to attempt to reconcile potential duplicates created as a result.
58. Mr. Watkins also indicated that both on Primary Day, August 11, 2020 and Election Day, November 3, 2020, his office and the Town Clerk's Office received numerous calls from absentee ballot voters asking if their absentee ballot had been received.
59. He also indicated that while he did not have exact numbers, several confused absentee ballot voters like Mr. Mokbil showed up to the polls on Election Day despite having already voted by absentee ballot.
60. However, these individuals were simply turned away without incident and did not vote twice as they did not share the double registration issue that Mr. Mokbil had.

*Adelicia Mogollon-Lecca*

Registration and Voting History Up to and Including November 3, 2020

61. CVRS and the records of the Town of Trumbull show that Adelicia Mogollon-Lecca is currently a bona fide resident on Bonheur Road Street. Ms. Mogollon-Lecca's registration

history is more complicated than Mr. Mokbil's and goes back further. Below is the timeline of her registration and voting history up to the double vote:

3/22/16

CVRS record 004553591 ("The Mogollon Registration") is created by the submission of a VRA on Henry Street in Greenwich, hand signed.

8/25/16

CVRS record 004632229 ("The Mogollon-Lecca Registration") is created by the submission of a DMV VRA also on Henry Street in Greenwich, but in the name of Adelia Claudia Mogollon-Lecca. Some details are different, including the last name, the inclusion of an apartment number, and the Unique ID used in Section 4. No duplicate is flagged and both this and the Mogollon Registration remain active.

3/20/17

The duplicate registrations are flagged by ERIC. According to the Memo History in The Mogollon Registration, the Greenwich ROV appeared to have at least taken an act that she believed put The Mogollon Registration in "Off" status, but for some reason it did not go through. According to the Greenwich Registrars, they do not have an explanation for why the removal did not stick, but they did not have any evidence that Ms. Mogollon had any part in it.

10/18/17

DMV VRA submitted for The Mogollon-Lecca Registration amending the registration to reflect an address change to Pleasant Street in Greenwich.

The Mogollon Registration remains active at the Henry Street address in Greenwich.

6/29/18

DMV VRA submitted with identical information as The Mogollon-Lecca Registration with only a change in party. The Greenwich ROV picks up

on this (as shown the Memo History of this CVRS record) and only amends the Mogollon-Lecca Registration

The Mogollon Registration remains active at the Henry Street address.

11/6/18

Ms. Mogollon-Lecca votes for the first time, in person in Greenwich under Mogollon-Lecca Registration, as evidenced in the CVRS voter history in the Mogollon-Lecca Registration.

The Mogollon Registration remains active at the Henry Street address

10/24/19 through 10/31/19

Ms. Mogollon-Lecca submits a handwritten VRA registering on Bonheur Road in Trumbull writing the last name "Mogollon," but fails to indicate that it is a new registration.

"SOTS Purge" printout flags matches the 10/24/19 Registration to the Mogollon Registration on Henry Street in Greenwich. The Mogollon Registration is merged with the 10/24/19 Registration. The Mogollon Registration VRA card is pulled in Greenwich and put into an archive.

The Mogollon-Lecca Registration remains active at the Pleasant Street address in Greenwich.

9/18/20

Ms. Mogollon-Lecca receives a pre-filled AB Application from SOTS for the General Election in Trumbull under the Mogollon Registration, executes it and sends it back in.

The Mogollon-Lecca Registration remains active at the Pleasant Street address in Greenwich. Although no evidence supports this conclusively, it is likely that a pre-filled AB app was also sent to the Greenwich address for the Mogollon-Lecca registration and sent back undelivered.



10/2/20

Ms. Mogollon-Lecca is sent an AB set from Trumbull, executes it and sends it back to Town Clerk.

10/14/20

Ms. Mogollon-Lecca amends her driver's license address with the DMV, which flags The Mogollon Lecca Registration sitting in Greenwich to be finally moved to Trumbull (on 10/15/20).

10/15/20

Ms. Mogollon-Lecca is sent a letter from Trumbull telling her about her "new" registration change from Greenwich to Trumbull on 10/14/20 and informing her of the location of her "new" polling place.

According to Ms. Mogollon-Lecca, given the proximity of the timing of the sending of her AB (under the Mogollon Registration), the letter caused her to think her AB was rejected and that she needed to vote in person.

11/3/20

Ms. Mogollon-Lecca votes in Trumbull in person (under the Mogollon-Lecca Registration) not realizing that there were two active voter registration records in Trumbull and that her AB had not been rejected. Like with Mokbil, the official checker does not notice and allows her thrown.

Respondent Mogollon-Lecca's Reply

62. As described above, in her responses Ms. Mogollon-Lecca asserted that she was unaware at any time that there was more than one voter registration in her name.
63. She asserted that she had no intent to vote more than once nor any knowledge that she had done so.
64. She asserted that she had no experience with absentee ballots and the receipt of the 10/15/20 letter informing her of a registration change so soon upon the heels of submitting her absentee ballot made her believe that the absentee ballot had been rejected and that she needed to vote in person.

## Analysis and Conclusion

### All Electors Other Than Mokbil and Mogollon-Lecca

65. As an initial matter, submitting a second registration is not in and of itself a violation of any law. The burden of keeping the registration records up to date and accurate falls on the election officials.
66. However, no evidence was found in this investigation that any election official failed in their duty here.
67. The systems in place at present in Connecticut err on the side of enfranchisement; duplicate registrations sometimes get through, at least initially, because the system is designed to guard against unintentional removal.
68. In *In the Matter of a Referral by the Secretary of the State*, File No. 2008-049, the Commission stated:

The statutory scheme surrounding registration as an elector is built with safeguards that err on the side of keeping an elector on the rolls for a period of time sufficient to assure that such elector is no longer able or willing to remain as such.

¶10.

69. Indeed, the Commission has looked harshly in the past on elections officials who failed to apply sufficient checks and balances before removing an elector:

The Commission does not take lightly these types of errors. The laws have been written to make it very difficult to completely remove a voter. From the Constitution to the statutes and regulations, the regulatory scheme surrounding elections favors enfranchisement and makes election officials go through many checks and balances before a voter fully loses his/her franchise.

*In the Matter of a Complaint by John M. Tremaine, New Canaan*, File No. 2015-097A, ¶18.

70. That said, there are systems in place to guard against and/or capture duplicate registrations, including but not limited to the flags built into the DMV-CVRS registration system,

national systems such as the National Change of Address System (NCOA) and the Electronic Registry Information System (ERIC) and the Secretary of the State's duplicate registration review enumerated in General Statutes § 9-21a.<sup>8</sup>

71. In addition, some registrars' offices implement their own systems and/or "spot checks," even though not required.
72. For example, *In the Matter of a Complaint by Robert Sampson, Wolcott* File No. 2021-123 involved a mistaken double registration (also due to a DMV renewal) that was caught ahead of time by a watchful official checker.
73. Accordingly, based on the above investigatory results, the Commission dismisses these matters as concerns all records other than Mr. Mokbil and Ms. Mogollon (154 of 158 verified records).

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<sup>8</sup> General Statutes § 9-21a reads:

(a) The Secretary of the State, at such times as the Secretary determines, may cause a search to be made of computerized voter registration records to identify electors who may be registered in more than one town. The Secretary may compile, from such search, a list of possible duplicate registrations in any town or towns and transmit such list to the registrars of voters of the appropriate town or towns.

(b) Upon receipt of such list from the Secretary, the registrars may make such additional investigation as they deem necessary to determine if any elector in their town whose name appears on such list was previously registered in another town. The registrars of voters shall send to each elector on the registry list in their town, who the registrars of voters determine to be the same person who was previously registered in another town, a notice of duplicate registration in a form prescribed by the Secretary of the State stating that (1) based on a computer search of voter registration records it appears that the elector may have been registered to vote in another town before registering in the registrars' town, (2) as the result of such previous registration, the elector is no longer entitled to remain on the registry list in the previous town, and (3) unless the elector contacts the registrars of voters within thirty days to confirm that the elector is still entitled to be on the registry list in the previous town, the elector's name shall be removed from the list. The notice of duplicate registration shall include a form on which the elector may confirm that the elector is entitled to be on an active registry list because the elector is a bona fide resident of the registrars' town and either is not the person whose name appears on the registry list of another town, or has registered in the registrars' town after registering in any other town.

(c) When an elector whose name appears on the inactive list files the confirmation provided for in this section, the elector's name shall be restored to the active list. No elector shall be removed from the registry list pursuant to this section unless both registrars of voters agree that such elector has subsequently registered to vote in another town.



Azzuddin Mokbil and Adelicia Mogollon-Lecca

74. Turning to the two confirmed double votes here, while the instant investigation conclusively established that Mr. Mokbil and Ms. Mogollon did both cast two ballots in the November 3, 2020 General Election, it does not appear that either individual had any clear notion that they had done so until the instant investigation.
75. As an initial matter, the Commission concludes that the evidence does not support a finding that these electors had the intent to create two registrations. Moreover, the evidence does not support that either of these electors understood that due to their interactions with the DMV, duplicate registrations had been created in the first place. The Commission's investigation here appeared to have likely been the electors' first notice that two registrations existed in their names.
76. As concerned the votes, these electors also appeared to lack the intent to vote more than once or the understanding that they had done so. Again, their notice that both of their ballots had been counted appears to have come as a result of this investigation. Both electors were first-time absentee ballot voters with very little experience voting. This was only Mr., Mokbil's fourth election or primary. This was Ms. Mogollon-Lecca's second.
77. As mentioned above, this was *many* electors' first interaction with the absentee ballot process. Due to the emergency provisions allowing anyone to vote by absentee ballot and due to the Secretary of the State's Office sending every registered elector a pre-filled absentee ballot application, the absentee balloting numbers went from 126,948 electors in 2016 to 659,370 in 2020, a 519% increase in participation.
78. On Primary Day, August 11, 2020, and Election Day, November 3, 2020, elections officials, the Secretary of the State, and the SEEC Election Day Hotline reported a substantial percentage of calls from electors asking if their absentee ballot had been counted or if they should go to their polling place just in case.
79. The SEEC's Election Day Hotline on those days received at least 77 calls from electors concerning their absentee ballot status.
80. In addition to those electors who called, the Commission has received numerous anecdotal reports from elections officials (including Peter Beckwith from Mr. Mokbil's City of East Hartford) who stated that numerous absentee ballot voters appeared at their polling places anyway, as they did not know whether or their ballot had been counted.

81. However, unlike Mr. Mokbil and Ms. Mogollon-Lecca, those electors did not have two registrations and were simply turned away without incident by the election officials, as their names had been crossed off the official checklist.
82. Turning to liability, per General Statutes § 9-7b (a) (2) (C), there is no question here that no elector is legally qualified to register twice and vote under both registrations in the same election, that such an act is “improper” under that statute, and that such an act subjects the elector to potential civil penalties.
83. However, the act of casting the two ballots in the same election, alone, despite these electors’ apparent genuine belief that only one would be counted, is not a per se violation of the double voting provisions in General Statutes § 9-360.
84. This is consistent with the Commission’s holding in *In the Matter of a Referral by the Greenwich Registrars of Voters*, File No. 2017-039. In *Greenwich*, the ERIC system reported that the respondent was registered in both Greenwich and Cumberland County, Pennsylvania and had cast an absentee ballot in Greenwich and in person in Pennsylvania. The respondent, a student in Pennsylvania, applied for and received an absentee ballot from Greenwich, but changed her mind and decided that she would register and vote in Pennsylvania. As such, the elector did what she believed to be the right thing and she returned the ballot blank. However, as she returned it in the inner and outer envelopes, it was recorded as an attempt to vote. Fortunately, due to the respondent’s failure to sign the inner envelope, the ballot was never counted and remained in the envelope. This allowed Commission investigators to verify her claim. The Commission in *Greenwich* concluded:

7. The Commission has consistently held that where there is insufficient factual evidence to corroborate or support an allegation of double-voting, or where there is an inference that such claims rest on administrative errors, or that the accused individual lacks *the requisite intent to commit fraud* by voting twice at a single election, that violations of General Statutes § 9-360 remain unsubstantiated.

8. The Commission concludes that, based upon Respondent's testimony and the inspection of Respondent's absentee ballot under authority of a subpoena, which corroborated her claim that she returned the absentee ballot "blank" or unmarked to Greenwich, the Respondent lacked the sufficient intent to vote twice at the November 8, 2016 in violation of General Statutes § 9-360 and therefore the claim remains unsubstantiated.

(Emphasis in original.)

*Id.*

85. The Commission in *Greenwich* cited its decision in *In the Matter of a Complaint by Peter J. Gostin, New Britain*, File No. 2013-041. The elector in *Gostin* voted in person and also by Presidential Ballot in the November 6, 2012 General Election. On Election Day, the elector cast a Presidential Ballot and after doing so was informed by an election official that his name was on the active registry list and could vote in person. Based on this instruction, the voter proceeded down the polling place and cast a full ballot. The Commission concluded as follows:

6. The Commission finds Respondent's admission of uncertainty in connection with his efforts to vote along with the issuance of both a Presidential Ballot by town officials and the indication that Respondent remained on the voter registry, leads to an inference of mistaken belief rather than an intention to commit fraud by the Respondent with regards to executing more than one ballot on November 6, 2012.

7. The Commission finds after investigation and review of pertinent documents from City of New Britain, as well as interviews of relevant municipal and election officials, insufficient evidence to establish that Respondent *with the intent to commit fraud* voted twice at the November 6, 2012 in violation of General Statutes § 9-360. (Emphasis in original.)

*Id.*

86. However, it should also be noted that in both *Gostin* and *Greenwich*, the facts and circumstances of those cases were found to show that the apparent double votes were made in good faith and in a reasonable belief that what these electors were doing was correct. This is in contrast with *In the Matter of a Referral by the Colchester Registrars of Voters*, File No. 2014-070 in which an elector voting in-person in a referendum was mistakenly handed two ballots and marked and voted both ballots. The Commission in *Colchester* concluded that they were justified in assessing a civil penalty under §§ 9-360 and 9-7b (a) (2) (C), as the elector's averred belief that what she did was permissible was not reasonable and that such elector either knew or should have known it was not. The Commission in *Colchester* declined to refer the matter criminally and settled for a civil penalty of \$500.



87. Turning to the question here, the Commission concludes that the circumstances of both *Gostin* and *Greenwich* are materially consistent with the circumstances in which Mr. Mokbil and Ms. Mogollon-Lecca found themselves.
88. Unbeknownst to these electors, the DMV-CVRS system created substantially similar but not identical voter registration records that were not timely flagged and reconciled.
89. Moreover, in response to the notices that they each received from their respective municipal election officials, the Commission concludes that the investigation showed that they reasonably believed that their absentee ballots had not been counted.
90. They, like many other similar first-time absentee ballot voters in 2020, did what they believed in good faith to be the correct thing by going down to their polling places to exercise their franchise. And, up until the instant investigation here, the Commission finds that they maintained such reasonable belief.
91. Accordingly, the Commission concludes that while no voter is legally qualified to vote twice in same election and doing so is always improper, the facts and circumstances surrounding Mr. Mokbil and Ms. Mogollon-Lecca's votes here are sufficiently unique and mitigating to the degree that it is unnecessary to take any further action against them.

ORDER

The following Order is recommended on the basis of the aforementioned findings:

- 1) *Re: Azzuddin Mokbil and Adelia Mogollon-Lecca:* No Further Action.
- 2) *Re: All remaining potential respondents:* Dismissed

Adopted this 15 day of June, 2024 at Hartford, Connecticut.

A handwritten signature in blue ink, appearing to read "Stephen T. Penny", is written over a horizontal line.

Stephen T. Penny, Chairperson  
By Order of the Commission